

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
vs.) CASE NO. 3:14-CR-124-PLR-CCS
)
JAMES BRIAN JOYNER and)
DEBORAH GAYLE THOMAS)

ORDER

On March 30, 2016, the Honorable C. Clifford Shirley, United States Magistrate Judge, filed a 16-page Report and Recommendation [R. 186], in which he recommended that defendants’ motions to dismiss Count One of the Indictment [R. 62, 88] be denied.

This matter is presently before the court on defendants’ timely objections to the R&R [R. 187]. The government has responded [R. 192]. The court notes that the defendants have filed a general objection to the Report and Recommendation, relying on the arguments and legal authority in their original motions, and request the undersigned “reconsider” Magistrate Judge Shirley’s ruling on their motions. Defendants have not specifically identified any factual or legal errors in Magistrate Judge Shirley’s thorough 16-page Report and Recommendation.

The district court is only required to conduct a *de novo* review of the portions of a report and recommendation to which the parties have made an objection, and the parties have a “duty to pinpoint those portions of the magistrate’s report that the district court must specially consider.” *Cincinnati Ins. Co. v. Grand Pointe LLC*, 501 F.Supp.2d 1145,

1153 (E.D.Tenn. 2007). Defendants' general, nonspecific objections purporting to incorporate by reference their earlier legal memoranda are tantamount to no objection at all and do not warrant further review by the undersigned. *Morrison v. Parker*, 90 F.Supp.2d 876, 878 (W.D.Mich. 2000). Absent a specific objection, the district court may adopt conclusions reached by the magistrate judge without discussion. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985); *Cline v. City of Mansfield*, 745 F.Supp.2d 773, 787 (N.D.Ohio 2010). Accordingly, the Report and Recommendation [R. 186] filed by Magistrate Judge Shirley is hereby **ACCEPTED IN WHOLE**, and defendants' motions to dismiss Count One of the Indictment [R. 62, 88] are **DENIED**.

Enter:


UNITED STATES DISTRICT JUDGE